

REMARKS/ARGUMENTS

In the Final Office Action mailed April 2, 2010, claims 1-3 and 9-11 stand rejected. Without conceding to the propriety of the rejections, claims 1-2 and 10 have been cancelled without prejudice or disclaimer of the subject matter contained therein. Claim 3 has been re-written in independent form. Claims 9 and 11 have been amended to correct dependency. Claim 9 has been further amended to correct some informalities. Claim 11 has been further amended to include novel glucagon-like peptide-1 receptor agonist disclosed at least at the bottom of page 21 (molecule 2f) and page 16 (molecule wang530). Accordingly, no new matter has been entered and no estoppels intended thereby. Applicants have thoroughly reviewed the outstanding Office Action including the Examiner's remarks and the references cited therein. The following remarks are believed to be fully responsive to the Office Action. All the pending claims at issue are believed to be patentable over the cited references.

SPECIFICATION

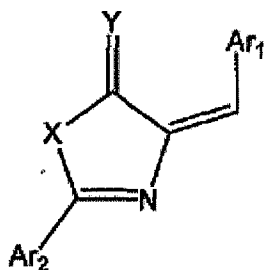
The amendment filed on 6/15/09 stands objected to under 35 USC 132(a) because it introduced new matter into the disclosure. Applicants respectfully submit that no new matter was introduced, but rather, a clerical error was corrected. In the amendment, "R₁COX₄" has been corrected to recite "R₁X₄" at paragraph [0024]. In the original claim 1 and description, R₁ is defined as any one of the following substituent groups: alkanoyl; substituted alkanoyl which contains substituent groups including halogen, alkoxyl or hydroxyl; C₂-C₆ enoyl; C₃-C₆ cycloalkanoyl; benzoyl; substituted benzoyl which contains optional one, two or three substituent groups including alkoxyl and alkylamino; tert-butoxycarbonyl; adamantane formoxyl; mandeloyl and the like and X₄ is defined as Cl or OH. That is, R₁ includes the "CO" group and, therefore,

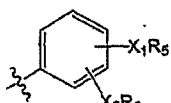
to say that R₁ is linked to X₄ by (another) "CO" group would be duplicative and contrary to many of the examples provided in the disclosure. In this regard, while some examples include a plurality of "CO" groups (such as at page 21) in other examples found at least at pages 15-19, the R₁ group is linked directly to the X₄ group. See in particular the chlorinated cycloalkanoyl found at page 18. Accordingly, "R₁X₄" is fully supported in the specification and the Applicants respectfully request the withdrawal of the objection under 35 USC 132(a).

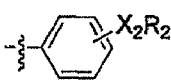
CLAIM REJECTIONS – 35 U.S.C. §102

Claims 1 and 3 stand rejected under 35 U.S.C. §102(b) as being anticipated by Ibrahim, *et al.* (CAPLUS abstract of: Journal of Chemical Research, Synopses (2002), (2), 60-61, 243-255; "Ibrahim"). Claim 1 has been cancelled. Applicants respectfully submit that amended claim 3 is patentably distinct from Ibrahim at least for the following reasons.

Claim 3 recites, inter alia, [a] glucagon-like peptide-1 receptor agonist having the following structural formula:



wherein Ar₁ is , wherein R₅ is alkyl; R₆ is thenoyl; X₁ is O; X₂ is O,

wherein Ar₂ is , wherein R₂ is any one of the following substituent groups:

alkanoyl; substituted alkanoyl which contains substituent groups including halogen, alkoxyl or

hydroxyl; C₂-C₆ enoyl; C₃-C₆ cycloalkanoyl; benzoyl; substituted benzoyl which contains one, two or three substituent groups including alkoxyl and alkylamino; tert-butoxycarbonyl; adamantane formoxyl; and mandeloyl; and X₂ is NH; X is O; and Y is O.

Applicants note that Ibrahim fails to disclose the molecule recited in claim 3. As such, the present invention as recited in claim 3 is patentably distinct from Ibrahim. Accordingly, Applicants respectfully request the withdrawal of the rejection of claim 3 under 35 U.S.C. §102(b) as being anticipated by Ibrahim.

CLAIM REJECTIONS – 35 U.S.C. §112

Claims 1-3 and 9-10 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 2, and 10 have been cancelled. In light of the amendments to claims 3 and 9, Applicants respectfully submit that these claims are allowable.

Claims 10 and 11 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Claim 10 has been cancelled. In light of the amendments to claim 9, Applicants respectfully submit that this claim is allowable.

Claim 9 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. In light of the amendments to claim 9, Applicants respectfully submit that this claim is allowable.

CONCLUSION

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned at 202-861-1629 in an effort to resolve any matter still outstanding before issuing another action. The undersigned is confident that any issue which might remain can readily be worked out by telephone.

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 56816.1740.

Respectfully submitted,
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Date: July 1, 2010
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